

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of)
)
T. Wade Fallin et. al)
)
Serial No.:) Art Unit
)
Confirmation No.:)
)
Filed: 06/20/2003)
)
For: Method And Apparatus For Bone Plating)
)

INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. ' 1.97

Commissioner for Patents
Washington, DC 20231

Sir:

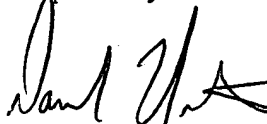
Please find, pursuant to 37 C.F.R. ' 1.98(a)(1), the enclosed Form PTO-1449 which contains a list of all patents, publications, or other items that have come to the attention of one or more of the individuals designated in 37 C.F.R. ' 1.56(c). While no representation is made that these references may be "prior art" within the meaning of that term under 35 U.S.C. ' ' 102 or 103, the enclosed listed references are disclosed so as to fully comply with the duty of disclosure set forth in 37 C.F.R. ' 1.56.

Moreover, while no representation is made that a specific search of office files or patent office records has been conducted or that no better art exists, the undersigned associate believes that the enclosed art is the closest to the claimed invention (taken in its entirety) of which the undersigned is presently aware, and no art which is closer to the claimed invention (taken in its entirety) has been knowingly withheld.

In accordance with 37 C.F.R. ' ' 1.97 and 1.98, a copy of each of the listed references or relevant portion thereof is also enclosed.

Dated this 20th day of June 2003.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Daniel F. Justin", with a long horizontal flourish extending to the right.

DANIEL F. JUSTIN

Patent Agent

Associate Power of Attorney for Applicant

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Applicant: T. Wade Fallin et. al

Docket No. MLI - 06

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Filing Date: 06/20/2003

Group:

For: Method And Apparatus For Bone Plating

INFORMATION DISCLOSURE CITATIONS MADE BY APPLICANTU.S. Patent Documents

<u>Examiner Initial*</u>	<u>Document Number</u>	<u>Issue Date</u>	<u>Name</u>
___ 1	4,388,921	June 21, 1983	Franz Sutter
___ 2	4,484,570	November 27, 1984	Franz Sutter
___ 3	5,053,036	October 1, 1991	Stephan N. Perren
___ 4	5,057,111	October 15, 1991	Joon B. Park
___ 5	5,085,660	February 4, 1992	Kwan C. Lin
___ 6	5,151,103	September 29, 1992	Slobodan Tepic
___ 7	5,234,431	August 10, 1993	Arnold Keller
___ 8	5,269,784	December 14, 1993	Jeffery W. Mast
___ 9	5,364,399	November 15, 1994	Gary Lowery
___ 10	5,501,684	March 26, 1996	Johannes F. Schiapfer
___ 11	5,520,690	May 28, 1996	Joseph P. Errico
___ 12	5,531,746	July 2, 1996	Joseph P. Errico
___ 13	5,549,612	August 27, 1996	Ronald A. Yapp
___ 14	5,578,034	November 26, 1996	Bradley T. Estes
___ 15	5,591,166	January 7, 1997	Andrew Bernhardt
___ 16	5,601,553	February 11, 1997	Linda Trebing
___ 17	5,643,265	July 1, 1997	Joseph P. Errico

Examiner:

Date Considered:

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609, draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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___ 18	5,681,311	October 28, 1997	Kevin T. Foley
___ 19	5,735,853	April 7, 1998	Sven Olerud
___ 20	5,902,303	May 11, 1999	Stephan Eckhof
___ 21	5,904,683	May 18, 1999	Peter J. Pohndorf
___ 22	5,931,838	August 3, 1999	Raymond P. Vito
___ 23	5,954,722	September 21, 1999	Frank S. Bono
___ 24	6,017,345	January 25, 2000	Marc Richelsoph
___ 25	6,030,389	February 29, 2000	Erik J. Wagner
___ 26	6,117,173	September 12, 2000	Lino Taddia
___ 27	6,139,550	October 31, 2000	Gary K. Michelson
___ 28	6,152,927	November 28, 2000	Robert A. Farris
___ 29	6,193,721	February 27, 2001	Gary K. Michelson
___ 30	6,224,602	May 1, 2001	Kyle Hayes
___ 31	6,228,085	May 8, 2001	Randall R. Theken
___ 32	6,235,034	May 22, 2001	Robert S. Bray
___ 33	6,258,089	July 10, 2001	Christopher M. Campbell
___ 34	6,261,291	July 17, 2001	David J. Talaber
___ 35	6,331,179	December 18, 2001	Jim Freid
___ 36	6,342,055	January 29, 2002	Lukas G. Eisermann
___ 37	6,383,186	May 7, 2002	Gary K. Michelson

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___ 38	6,398,783	June 4, 2002	Gary K. Michelson
___ 39	6,413,259	July 2, 2002	Mathew Lyons
___ 40	6,416,528	July 9, 2002	Gary K. Michelson
___ 41	6,428,542	August 6, 2002	Gary K. Michelson
___ 42	6,454,771	September 24, 2002	Gary K. Michelson
___ 43	6,506,191	January 14, 2003	Ulrich Joos
___ 44	6,527,776	March 4, 2003	Gary K. Michelson
___ 45	6,533,786	March 18, 2003	Dusty Anna Needham
___ 46	6,533,789	March 18, 2003	Harry Thomas Hall IV.
___ 47	6,558,423	May 6, 2003	Gary K. Michelson
___ 48	US 2001/0047174A1	November 29, 2001	Casimo Donno
___ 49	US 2002/0022843A1	February 21, 2002	Gary K. Michelson
___ 50	US 2002/0058939A1	May 16, 2002	Erik J. Wagner
___ 51	US 2002/0120273A1	August 29, 2002	Dusty Anna Needham
___ 52	Us 2002/0128655A1	September 12, 2002	Gary K. Michelson
___ 53	US 2002/0183754A1	December 5, 2002	Gary K. Michelson
___ 54	US 2002/0183756 A1	December 5, 2002	Gary K. Michelson
___ 55	US 2002/0183757A1	December 5, 2002	Gary K. Michelson
___ 56	US 2002/0188296A1	December 12, 2002	Gary K. Michelson
___ 57	US 2002/0151899 A1	October 17, 2002	Kirk J. Bailey

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For: Method And Apparatus For Bone Plating

_____ 58	US 2003/0045880A1	March 6, 2003	Gary K. Michelson
_____ 59	US 2003/0078583 A1	April 24, 2003	Lutz Biedermann
_____ 60	US 2003/0093082 A1	May 15, 2003	Christopher M. Campbell

Foreign Patent Documents

<u>Examiner Initial*</u>	<u>Document Number</u>	<u>Publication Date</u>	<u>Name</u>
_____ 61	EP0683646B1	October 24, 2001	Gary Lowery
_____ 62	EP0684017B1	February 24, 1999	Slobodan Tepic
_____ 63	EP0767631B1	December 27, 2000	Douglas W. Kohrs
_____ 64	EP0897697A1	February 24, 1999	Marc Richelsoph
_____ 65	EP0951247B1	October 16, 2002	Troy Drewry
_____ 66	EP1106144A1	June 13, 2001	Gary Lowery
_____ 67	EP1169971A2	January 9, 2002	Christopher M. Campbell
_____ 68	WO 95/35067	December 28, 1995	Sven Olerud
_____ 69	WO 96/08206	March 21, 1996	Kevin T. Foley
_____ 70	WO 97/22306	June 26, 1997	Kevin T. Foley
_____ 71	WO 98/34553	August 13, 1998	Gary K. Michelson
_____ 72	WO 98/51226	November 19, 1998	Robert A. Farris
_____ 73	WO 99/05968	February 11, 1999	Frank Bono
_____ 74	WO 99/21502	May 6, 1999	Robert S. Jr. Bray

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_____ 75	WO 02/098276	December 12, 2002	Gary K. Michelson
_____ 76	WO 03/028567A1	April 10, 2003	Harry Hall

Other Documents

(including author, title, pertinent pages, etc.)

Examiner

Initial*

Author

Title

Year

_____ 77	Theken	Tether Anterior Cervical Fixation System (Brochure)	2002
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References Cited by Applicants

While the filing of Information Disclosure Statements is voluntary, the procedure is governed by the guidelines of Section 609 of the Manual of Patent Examining Procedure and 37 C.F.R. §§ 1.97 and 1.98. To be considered a proper Information Disclosure Statement, Form PTO-1449 shall be accompanied by a copy of each listed patent or publication or other item of information and a translation of the pertinent portions of foreign documents (if an existing translation is readily available to the applicant), an explanation of relevance of each reference not in the English language, and should be submitted in a timely manner as set out in MPEP Sec. 609.

Examiners will consider all citations submitted in conformance with 37 C.F.R. § 1.98 and MPEP Sec. 609 and place their initials adjacent the citations in the spaces provided on this form. Examiners will also initial citations not in conformance with the guidelines which may have been considered. A reference may be considered by the Examiner for any reason whether or not the citation is in full conformance with the guidelines. A line will be drawn through a citation if it is not in conformance with the guidelines AND has not been considered. A copy of the submitted form, as reviewed by the Examiner, will be returned to the applicant with the next communication. The original of the form will be entered into the application file.

Each citation initialed by the Examiner will be printed on the issued patent in the same manner as references cited by the Examiner on Form PTO-892.

The reference designations "A1," "A2," etc. (referring to Applicant's reference 1, Applicant's reference 2, etc.) will be used by the Examiner in the same manner as Examiner's reference designations "A," "B," "C," etc. on Office Action Form PTO-1142.

Examiner:

Date Considered:

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